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## FACSIMILE TRANSMISSION

DATE: September 26, 2005

TO: EXAMINER EDUARDO ROBERT

FACSIMILE NO.: 571-273-8300

FROM: John G. Posa

PAGES TRANSMITTED (INCLUDING COVER SHEET): 9

ORIGINAL DOCUMENTS WILL \_\_\_\_ / WILL NOT  X  FOLLOW BY MAIL

RE: SN 10/007,477

MESSAGE:

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P. 003/009

SEP 26 2005

<b>COMBINED AMENDMENT &amp; PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Small Entity)</b>					Docket No. BAF-10703/29	
In Re Application Of: <b>Ferree</b>						
Application No. 10/007,477	Filing Date 11/08/2001	Examiner E. Robert	Customer No. 25006	Group Art Unit 3732	Confirmation No. 2845	
Invention: <b>ENHANCED SURFACE AREA SPINAL FUSION DEVICES AND ALIGNMENT APPARATUS THEREFOR</b>						
<u>COMMISSIONER FOR PATENTS:</u>						
This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>May 25, 2005</u> in the above-identified application. <span style="margin-left: 150px;"><i>Date</i></span>						
The requested extension is as follows (check time period desired):						
<input checked="" type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months						
from: <u>August 25, 2005</u> until: <u>Sept. 25, 2005 (Sunday)</u> <span style="margin-left: 100px;"><i>Date</i></span> <span style="margin-left: 100px;"><i>Date</i></span>						
<b>RECEIVED</b> <b>OIPE/IAP</b>  <b>SEP 27 2005</b>						
Applicant claims small entity status. See 37 CFR 1.27.						
The fee for the amendment and extension of time has been calculated as shown below:						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	14     -	20     ■	0	x     \$25.00	\$0.00	
INDEP. CLAIMS	3     -	3     ■	0	x     \$100.00	\$0.00	
FEE FOR AMENDMENT					\$0.00	
FEE FOR EXTENSION OF TIME					\$60.00	
<b>TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME</b>					<b>\$60.00</b>	

PAGE 3/9 \* RCVD AT 9/26/2005 3:06:13 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/27 \* DNIS:2738300 \* CSID:17349136007 \* DURATION (mm-ss):02-10 REV03

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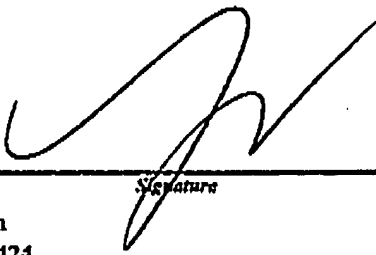
SEP 26 2005

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**Docket No.  
BAF-10703/29

The fee for the amendment and extension of time is to be paid as follows:

- ☐ A check in the amount of \_\_\_\_\_ for the amendment and extension of time is enclosed.
- ☒ Please charge Deposit Account No. 07-1180 In the amount of \$60.00
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-1180
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1180
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



Signature

John C. Posa  
Reg. No. 37,424  
Gifford, Krass, Groh et al  
PO Box 7021  
Troy, MI 48007-7021  
Tel. 734/913-9300

Dated: Sept. 26, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

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Typed or Printed Name of Person Mailing Correspondence

cc: